REMARKS

This responds to the Office Action mailed on August 13, 2004.

No claims are canceled, amended, or added by way of this amendment. As a result, claims 1-36 are now pending in this application.

Amendments to the Specification

In the paragraph beginning on page 1, line 7, Applicants have updated the status of the related application per the Examiner's request.

The sub-title "Conclusion" on page 11, line 21 has been deleted.

Rejection of Claims 1-36 Under 35 U.S.C. §112, Second Paragraph

Claims 1-36 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that Applicants regards as the invention.

Regarding claim 1, the Examiner asserted it was not made explicitly clear in the claim language who or what performs the functions of "providing" and "assigning". Regarding claims 9, 17, 22, 27, and 32, the Examiner further asserted that they were indefinite for the same reasons as claim 1.

Applicants respectfully assert that 35 U.S.C. §112, second paragraph, does not require explicit identification of what elements perform what function in a method claim. In method claims, it is the operations that are important, not the particular elements. Applicants can cite numerous patents issued by the U.S. Patent & Trademark Office containing method claims that do not recite what elements perform what function.

U.S. Pat. No. 6,330,372 provides an example:

1.   A method comprising:
      detecting an edge pixel in an unsharpened image;
      sharpening the edge pixel to form a sharpened image;
      selecting a region of the sharpened image, such that the region includes the edge pixel;

comparing the region to a corresponding region of the unsharpened image to form

a difference value; and

processing the difference value to form a final image.

Another example is U.S. Pat. No. 6,622,269:

19.   A method of testing a memory comprising a plurality of memory elements, the
method comprising:

performing a plurality of tests, including read tests, on the memory in accordance
with a sequence of instructions, the instructions each being uniquely identified by a
corresponding instruction identifier, each test comprising an address corresponding to a
memory block, and each read test resulting in a memory block being read;

generating a memory fault signal when one of the read tests fails; and

in response to the memory fault signal, storing an address corresponding to the
one read test, storing several subsequent addresses, and storing a read memory block
corresponding only to the one read test.

Yet another example is U.S. Pat. No. 6,442,745:

1.   A method for use in a data processing system and comprising:

defining a set of constraints for global routing of an integrated circuit layout,
wherein the global routing is to couple at least two terminals with a net, the set of
constraints comprising at least one tunnel extending substantially only between the at
least two terminals; and

performing global routing in accordance with the set of constraints.

Applicants could cite numerous other examples of issued method claims that do not recite

what elements perform what function.

For the above reasons, Applicants respectfully request that the rejection of claims 1, 9,

17, 22, 27, and 32 under 35 U.S.C. §112, second paragraph, be withdrawn.

Regarding claim 2, the Examiner asserted it was not made explicitly clear whether "load

manager" is located in the client or outside the client. Regarding claims 10, 18, 23, 28, and 33,

the Examiner further asserted that they were indefinite for the same reasons as claim 2.

Applicants respectfully assert that 35 U.S.C. §112, second paragraph, does not require the

location of the load manager within claims 2, 10, 18, 23, 28, and 33 to be specified. Applicants'

written description, for example in the paragraph beginning on page 5, line 30, offers several

alternatives concerning the implementation of the load manager. Applicants should not be

required to restrict the load manager to any specific location within the "data processing system" recited in the preamble of independent claim 1.

For the above reasons, Applicants respectfully request that the rejection of claims 2, 10, 18, 23, 28, and 33 under 35 U.S.C. §112, second paragraph, be withdrawn.

Claims 1, 9, 17, 22, 27, and 32 were rejected under 35 U.S.C. §112, second paragraph, as being incomplete for "omitting essential structural cooperative relationships of elements".

The Examiner asserted that it is unclear whether or not there is a workflow engine for every client. In response, Applicants assert that the relationship between workflow engines and client processes within an embodiment of Applicants' data processing system is clearly described in Applicants' written description, for example, in the paragraphs beginning on page 5, line 27, and on page 6, line 17, respectively. Claim 1 recites in part:

> if a workflow is completed by a first workflow engine for an execution-requesting client, sending an explicit and delayed acknowledgement to the execution-requesting client, else assigning the workflow to a second workflow engine.

It should be clear that a second workflow engine may be assigned to an execution-requesting client, if an explicit and delayed acknowledgement is not sent to the execution-requesting client. In claim 1, it is unnecessary to recite whether or not there is a workflow engine for every client, because the claim describes operations that only need to involve one execution-requesting client. The same argument applies to claims 9, 17, 22, 27, and 32.

The Examiner also asserted that it is unclear whether or not the first client can communicate with the second workflow engine. In response, Applicants assert that whether or not the first client can communicate with the second workflow engine is not relevant to the subject matter recited in claim 1, because claim 1 is involved with assigning a second workflow engine to the execution-requesting client, if an explicit and delayed acknowledgement is not sent to the execution-requesting client. The same argument applies to claims 9, 17, 22, 27, and 32.

The Examiner further asserted that it is unclear whether or not there is the same number of workflow engines as clients. In response, Applicants again assert that the relationship

between workflow engines and client processes within an embodiment of Applicants' data processing system is clearly described in Applicants' written description, for example, in the paragraphs beginning on page 5, line 27, and on page 6, line 17, respectively. Moreover, Applicants assert that this question is not relevant to the subject matter recited in claim 1, because claim 1 is involved with first and second workflow engines of a plurality of workflow engines and at least one execution-requesting client of one or more execution-requesting clients. Applicants should not have to specify the relationship between the number of workflow engines and the number of execution-requesting clients. The same argument applies to claims 9, 17, 22, 27, and 32.

For the above reasons, Applicants respectfully request that the rejection of claims 1, 9, 17, 22, 27, and 32 under 35 U.S.C. §112, second paragraph, be withdrawn.

Rejection of Claims 1-36 under 35 U.S.C. §103(a) as Unpatentable over Campbell in view of Nakamura

Claims 1-36 were rejected under 35 U.S.C. §103(a) as being unpatentable over Campbell et al. (U.S. 2001/0024497 A1) in view of Nakamura et al. (U.S. 2001/0027477 A1).

Campbell discloses (see Abstract) a system and method for servicing multi-media customer communications to geographically distributed agents from multiple call center sites via the telephone network and a global data communications network. Applicants could find no disclosure in Campbell concerning sending an explicit and delayed acknowledgement to an execution-requesting client if a workflow is completed by a first workflow engine, else assigning the workflow to a second workflow engine. It is noted that the Examiner concedes this in his Office Action.

Nakamura discloses (see Abstract) a workflow controlling system, in which a determination may be made whether the workflow/process was completed or not, and, if not completed, then a second terminal apparatus is identified and notified. Applicants could find no disclosure in Nakamura concerning sending an explicit and delayed acknowledgement to an execution-requesting client if a workflow is completed by a first workflow engine, else assigning the workflow to a second workflow engine.

To establish a *prima facie* case of obviousness under 35 U.S.C. §103, the prior art reference (or references when combined) must teach or suggest every limitation of the claim. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA, 1974). MPEP §2143.

The Examiner's asserted combination of Campbell in view of Nakamura fails to teach or suggest all of the claim limitations present in independent claims 1, 9, 17, 22, 27, and 32, so a *prima facie* case of obviousness has not been established.

For example, neither Campbell nor Nakamura disclose sending an explicit and delayed acknowledgement to an execution-requesting client if a workflow is completed by a first workflow engine, else assigning the workflow to a second workflow engine

For the above reasons, claims 1, 9, 17, 22, 27, and 32 should be found to be allowable over any combination of Campbell and Nakamura, and Applicants respectfully request that the rejection of claims 1, 9, 17, 22, 27, and 32 under 35 U.S.C.§103(a) as being unpatentable over Campbell in view of Nakamura should be withdrawn.

Claims 2-8, 10-16, 18-21, 23-26, 28-31, and 33-36, which depend from claims 1, 9, 17, 22, 27, and 32, respectively, and incorporate all of the limitations therein, are also asserted to be allowable for the reasons presented above.

Additional Elements and Limitations

Applicants consider additional elements and limitations of claims 1-36 to further distinguish over the cited references, and Applicants reserve the right to present arguments to this effect at a later date.

Documents Cited But Not Relied Upon For This Office Action

Applicants need not respond to the assertion of pertinence stated for the references cited but not relied upon by the Office Action, because these references are not made part of the rejections in this Office Action. Applicants are expressly not admitting to this assertion and reserve the right to address the assertion should it form part of future rejections.

Conclusion

Applicants respectfully submit that claims 1-36 are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney, Walter W. Nielsen (located in Phoenix, Arizona) at (602) 298-8920, or the below-signed attorney (located in Minneapolis, Minnesota) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

MINGQIU SUN ET AL.

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this _15_ day of _November_ 2004.

Chris Hammond
_____   _____

Name   Signature